

## 6.03 ENTERTAINMENT FACILITY LICENSING. (Rep. & Rec. GO 24-01)

### (1) DEFINITIONS.

(a) Amusement Devices. Any machine, game, table, or device which is designed, intended, or used as a test of skill or entertainment, the use of which is made available for any valuable consideration. The definition of amusement machine is not intended to include a standard size bowling alley, jukebox, or other coin operated music machine or mechanical riding device, pool or billiard table.

(b) Arcade. A premises holding out amusement devices for public use. Arcades shall not include mercantile establishments unless such establishment creates and maintains a separate area designed or intended or reasonably likely to be used primarily by persons under the age of 21 for the use of amusement devices.

(c) Billiard Hall. A commercial premises open to the public upon which any billiard table or pool table is kept, except a premises holding a Class "B" liquor license.

(d) Dance Facility. A premises the principal purpose of which is providing dances, concerts, live music, and/or a dance floor in a non-alcoholic setting. Dances sponsored by an accredited school are not included. A dance facility shall include premises licensed under Ch. 33, Green Bay Municipal Code, during those times when no alcohol is served, consumed, or given away on the licensed premises pursuant to §125.07(3)(a)10., Wis. Stats.

(e) Entertainment Facility. An arcade, billiard hall, dance facility, roller rink, or youth facility.

(f) Roller Rink. A premises open to public use for the purpose of roller skating.

(g) School Night. The night preceding a day on which school is in session in the Green Bay Area Public School District.

(h) Youth Facility. A commercial premises offering recreational or amusement activities to guests, members, patrons, or customers, the majority of whom can reasonably be expected to be under the age of 21.

(2) LICENSE REQUIRED. No person, partnership, corporation, or other organization shall operate an entertainment facility without first obtaining a license. No license or interest in a license may be transferred to any person, partnership, or corporation.

(3) TEMPORARY LICENSE. No person may promote, organize, or otherwise conduct an event the principal purpose of which is providing a dance, concert, live music, and/or a dance floor in a non-alcoholic setting on a premises not licensed under sub. (2) unless such person has first obtained a temporary facility license pursuant to this section. The application for such license shall be as provided in sub. (5)(a). The fee for such license shall be \$25, and the duration of such license shall not exceed 24 hours as specified in the license application.

(4) EXEMPT ORGANIZATIONS. Organizations which own real property exempt from taxation pursuant to §§70.11(1), (2), (3), (4), (10), and (12), Wis. Stats., shall be exempt from sub. (2) and (3).

### (5) FACILITY LICENSE

(a) Application to Clerk.. Any person, partnership, or corporation desiring to secure a facility license shall make application to the City Clerk. The application for a license shall be upon a form approved by the City Clerk. An applicant for a license, which shall include all partners or limited partners of a partnership applicant, and all officers or

directors of a corporate applicant, and any other person who is interested directly in the control of the business, shall furnish the following information under oath:

1. Name, address, and age.
2. Whether the applicant holds any interest in any other facility.
3. A building plan of the facility to be licensed.
4. The ages of patrons to be allowed to enter the facility.
5. All convictions or pending charges of felony, misdemeanor or ordinance violations.
6. If the applicant is a corporation, the application shall specify the name of the corporation, the date and state of incorporation, the name and address of the registered agent, and all officers and directors of the corporation.
7. All convictions or pending charges of felony, misdemeanor or ordinance violations of a corporation, partnership or other organization for which the applicant was or is a director, officer, partner or person interested directly in the control of the organization.

(b) Qualifications. To receive a facility license, an applicant must meet the following standards:

1. All persons required to be named under sub. (4)(a) shall be at least 18 years of age.
2. At least one person required to be named under sub. (4)(a), or a registered agent if the applicant is a corporation, shall have continuously resided in the State of Wisconsin for at least 90 days prior to filing the application.
3. No person required to be named under sub. (4)(a) shall have been convicted of a violation of an ordinance or law which substantially relates to the licensed activity.
4. No person required to be named under sub. (4)(a) shall have been a director, officer, partner or person interested directly in the control of an organization that has been convicted of a violation of any ordinance or law which substantially relates to the licensed activity.

(c) License Fee and Duration. The fee for a facility license shall be \$75. If the premises is also licensed under Ch. 33, Green Bay Municipal Code, the license fee shall be \$25. Such license shall terminate on December 31 of the year it is issued, unless sooner revoked.